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10-8-01

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 02 2001

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Application of

Hiroshi MURAKAMI et al.

Confirmation No.: Unassigned

Appln. No.: 09/462,740

Group Art Unit: 1632

Filed: April 5, 2000

Examiner: P. PARAS JR.

For: TRANSGENIC MAMMALS

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This response is in regard to the Notice to Comply issued in the above referenced patent application. While the Notice to Comply was mailed April 10, 2001, and set a one month period for response, a Petition to Reset Period for Reply Due to Late Receipt of PTO Action was filed August 30, 2001. The Petition requested that the time for reply to the Notice be reset to begin August 28, 2001. Thus, upon granting of the Petition, a reply to the Notice would be due September 28, 2001. As this response is being filed on or before September 28, 2001, it is timely.

In the Notice to Comply, the Examiner states that the present application fails to comply with the requirements of 37 C.F.R. §§1.821-1.825 because the application (1) does not contain as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37

RESPONSE TO NOTICE TO COMPLY

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C.F.R. §1.821(c), and (2) a computer readable form (CFR) of the Sequence Listing has not been submitted as required by 37 C.F.R. §1.821(e).

The Examiner further states that Applicants must provide a paper copy and a CFR copy of the Sequence Listing, and a Statement that the content of the paper and computer readable copies are the same and that they include no new matter.

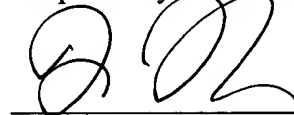
In response, Applicants include herewith a paper copy and a CRF copy of the Sequencing Listing, a Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825, and a copy of the Notice to Comply.

Applicants assert that the response to the Notice to Comply and the enclosures are being timely filed, and that the enclosures bring the present application in full compliance with the requirements of 37 C.F.R. §§1.821-1.825.

Accordingly, Applicants respectfully request that the Examiner acknowledge that the Sequence Listing in the present application meets the requirements of 37 C.F.R. §§1.821-1.825.

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Respectfully submitted,



Drew Hissong
Registration No. 44,765

Date: September 28, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Hiroshi MURAKAMI et al.

Confirmation No.: Unassigned

Appln. No.: 09/462,740

Group Art Unit: 1632

Filed: April 5, 2000

Examiner: P. PARAS JR.

For: TRANSGENIC MAMMALS

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

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Sir:

In connection with the 9-page Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

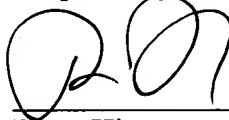
1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include any new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

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such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,



Drew Hissong
Registration No. 44,765

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Date: September 28, 2001

DISK TO STIC

DATE:



CAU 1632
BOX 569

Application No.: 09/462,740

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly falls to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

Patent In Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase Patent In Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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